

**REMARKS**

**I. Office Action Fails to Set Forth Complete and Proper Rejections**

Applicants note that the Office Action fails, on its face, to set forth the necessary *prima facie* rejection for several of the claims. Claim 1 is exemplary. In this regard, claim 1 recites local application sharing logic configured to “*pace the transmission of locally generated events in accordance with an echo event receive time and a respective echo event transmit time.*” The Office Action fails to address this element. Thus, on its face, the Office Action is inadequate and should be withdrawn. Nevertheless, Applicants have completely distinguished pending claims 1-17 and 19-21 over the cited references.

Should the Office decide to correct the failure of the Office Action to set forth a proper *prima facie* rejection of the claims, any such Office Action should be non-final, due to the incompleteness of the rejections in the Office Action mailed July 2, 2003.

**II. Status of Application and Summary of Applicants’ Response**

This is a full and timely response to the Final Office Action (Paper No. 6) mailed by the U.S. Patent and Trademark Office on July 2, 2003. Applicants respectfully submit that the pending claims are allowable over the cited references for at least the reason that the cited references do not disclose, teach, or suggest at least the local application sharing logic of claims 1-7, providing a local application sharing logic configured as in claims 8-14, and means for pacing the transmission of said events to be shared as recited in claims 15-17 and 19-21.

In response to item 3 of paper no. 6, Applicants respectfully traverse the rejection of claims 1, 8, 9, and 15 under 35 U.S.C. §102(b) over *Hao et al.*

In response to item 4 of paper no. 6, Applicants respectfully traverse the rejection of claims 2, 3, 10 and 16 under 35 U.S.C. §103(a) over *Hao et al.* in view of *Stumm*.

In response to item 5 of paper no. 6, Applicants respectfully traverse the rejection of claims 4-7, 11-14, 17, and 19-21 under 35 U.S.C. §103(a) over *Hao et al.* in view of *Othmer*.

Reconsideration of the pending claims is respectfully requested. Each rejection presented in the Office Action is discussed in the remarks that follow.

**III. Response to 35 U.S.C. §102 Rejections – Claims 1, 8, 9, and 15**

**A. Statement of the Rejection**

Claims 1, 8, 9, and 15 presently stand rejected under 35 U.S.C. §102(b) as allegedly anticipated by Hao *et al.* (U.S. Patent Number 5,844,553, hereafter *Hao*).

**B. Discussion of the Rejection**

Applicants respectfully traverse the rejection of claims 1, 8, 9, and 15 under 35 U.S.C. §102(b) for at least the reason that the cited reference fails to disclose, teach, or suggest each element in the claims.

It is axiomatic that “[a]nticipation requires the disclosure in a single prior art reference of *each element* of the claim under consideration.” *W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1554, 220 U.S.P.Q. 303, 313. (Fed. Cir. 1983.) (*Emphasis added.*) Therefore, every claimed feature of the claimed invention must be represented in the applied reference (*i.e.*, *Hao*) to constitute a proper rejection under 35 U.S.C. §102(b).

**Claim 1**

For convenience of analysis independent claim 1 is repeated below in its entirety.

1. A system for pacing the transmission of events associated with a local application that are shared with at least one corresponding remote application, the system comprising:
  - a local application sharing logic coupled to the local application, said local application sharing logic configured to:
    - receive events to be shared from said local application with the at least one corresponding remote application;
    - generate echo events;*
    - transmit locally generated events including said echo events* to said remote application; and

***pace the transmission of locally generated events  
in accordance with an echo event receive time and a  
respective echo event transmit time.***

(Applicants' independent claim 1 - *Emphasis added.*)

Applicants respectfully assert that the cited art of record fails to disclose, teach, or suggest at least the emphasized elements of pending claim 1 as shown above. Consequently, claim 1 is allowable.

Specifically, the system disclosed in *Hao* fails to disclose, teach, or suggest Applicants' local application sharing logic configured to "***generate echo events.***" In this regard, the statement of the rejection alleges that the private events listed on column 6, line 52 of *Hao* teach Applicants' claimed echo events. Applicants do not agree.

*Hao* apparently teaches a mechanism to enable collaborative updates to locally rendered application windows across a multiple workstation network. With regard to event processing, *Hao*'s Inter-Access Event Process (IEP) provides a mechanism to access, control, and distribute private input events directly to/from application windows associated with a plurality of processes interacting concurrently. The IEP mechanism uses a combination of active window entering, capturing, and input event multi-casting to distribute window events across different workstations or systems. (See *Hao* column 5, lines 52-57.) *Hao* analyzes input events from multiple applications and puts them in proper execution order. *Hao*'s IEP process logic is driven by input events such as mouse, keyboard or cursor movement events. When a user's mouse enters a shared window, the input events are captured and sent to the IEP rather than to the client that would normally receive the input event. The IEP then multicasts the input events to all shared windows. (*Hao* column 8, lines 51-54.) Thus, Applicants respectfully submit that *Hao* consistently describes receiving and multicasting input events among shared windows. Input events as described by *Hao* include mouse, keyboard or cursor movement events. The private events apparently taught by *Hao* are input events entered via input devices associated with a local workstation. *Hao*'s capture and multicasting of private input events does not disclose, teach, or suggest Applicants' claimed echo events. For at least this reason *Hao* does not anticipate Applicants' claim 1. Consequently, claim 1 is allowable and the rejection should be withdrawn.

Furthermore, because *Hao* fails to disclose, teach, or suggest Applicants' local application sharing logic configured to generate echo events, *Hao* cannot disclose, teach, or suggest Applicants' claimed application sharing logic configured to ***"transmit locally generated events including said echo events to said remote application."*** Moreover, *Hao* cannot disclose, teach, or suggest Applicants' claimed application sharing logic configured to ***"pace the transmission of locally generated events in accordance with an echo event receive time and a respective echo event transmit time."***

With regard to event processing, *Hao*'s IEP analyzes events from multiple applications and puts them in proper execution order. Optionally, the IEP can replicate the event stream or tailor it for some targets to allow for different key codes, colormaps, and the like. (See *Hao* column 6, lines, 37-40.) Applicants respectfully submit that placing input events from multiple applications into proper execution order does not disclose, teach, or suggest logic configured to ***"transmit . . . said echo events."*** Moreover, Applicants further submit that placing input events from multiple applications into proper execution order does not disclose, teach, or suggest logic configured to ***"pace the transmission of locally generated events in accordance with an echo event receive time and a respective echo event transmit time."*** For at least these reasons *Hao* does not anticipate Applicants' claim 1. Consequently, claim 1 is allowable and the rejection should be withdrawn.

Applicants note that the statement of the rejection wholly fails to even address the ***"pace the transmission of locally generated events in accordance with an echo event receive time and a respective echo event transmit time,"*** element of claim 1. Consequently, should the Office elect to maintain the rejection of claim 1 over the *Hao* reference, Applicants respectfully request the Office to particularly point out where *Hao* teaches this element. As noted in Section I above, any subsequent Office Action issued to correct at least this failure of the Office Action mailed July 2, 2003 to establish a *prima facie* rejection should be made non-Final.

**Claim 8**

For convenience of analysis independent claim 8 is repeated below in its entirety.

8. A method for pacing the transmission of events associated with a local application that are shared with at least one corresponding remote application, the method comprising the steps of:
- transmitting said events to be shared from said local application; and
  - providing a local application sharing logic configured to receive said events to be shared, said local application sharing logic further configured to:
    - generate echo events;***
    - controllably insert the echo events with said events to be shared; and
    - transmit said events to be shared and said echo events to a remote application.***

(Applicants' independent claim 8 - *emphasis added*.)

Applicants respectfully assert that the cited art of record fails to disclose, teach, or suggest at least the emphasized method steps of pending claim 8 as emphasized above. Consequently, claim 8 is allowable.

Specifically, the system disclosed in *Hao* fails to disclose, teach, or suggest providing a local application sharing logic configured to “***generate echo events.***” As explained above, *Hao* apparently discloses multicasting private input events entered via input devices associated with a local workstation. *Hao*'s capture and multicasting of private input events does not disclose, teach, or suggest Applicants' claimed echo events. For at least the reason that *Hao*'s private input events are not echo events, *Hao* does not anticipate Applicants' claim 8. Consequently, claim 8 is allowable and the rejection should be withdrawn.

Furthermore, because *Hao* fails to disclose, teach, or suggest Applicants' claimed limitation of providing a local application sharing logic configured to generate echo events, *Hao* cannot disclose, teach, or suggest Applicants' claimed application sharing logic configured to “***transmit said events to be shared and said echo events to a remote application.***” As shown above, with regard to event processing, *Hao*'s IEP analyzes input events from multiple applications and puts them in proper execution order. *Hao* is entirely silent regarding logic configured to generate an echo event. Consequently, *Hao* cannot anticipate Applicants' claimed application

sharing logic configured to “transmit . . . said echo events to a remote location.” For at least the additional reason that *Hao*’s system is not configured to “***transmit . . . said echo events to a remote location,***” *Hao* does not anticipate Applicants’ claim 8. Consequently, for at least these reasons, claim 8 is allowable and the rejection should be withdrawn.

Because independent claim 8 is allowable dependent claims 9 is also allowable as claim 9 includes all the elements of independent claim 8 from which claim 9 depends. *See In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Accordingly, Applicants respectfully request that the rejection of claim 9 also be withdrawn.

### **Claim 15**

For convenience of analysis independent claim 15 is repeated below in its entirety.

15. A system for pacing the transmission of events associated with a local application that are shared with at least one corresponding remote application, said pacing system comprising:  
means for transmitting said events to be shared from said local application;  
***means for generating echo events;***  
***means for inserting said echo events along with said events to be shared;*** and  
***means for pacing the transmission of said events to be shared, said means for pacing responsive to an echo delay derived from said echo events.***

(Applicants’ independent claim 15 - *emphasis added.*)

Applicants respectfully assert that the cited art of record fails to disclose, teach, or suggest at least the emphasized elements of pending claim 15 as shown above. Consequently, claim 15 is allowable.

Specifically, the system disclosed in *Hao* fails to disclose, teach, or suggest Applicants’ claimed pacing system comprising “means for generating ***echo events.***” As explained above, *Hao* apparently discloses multicasting private input events entered via input devices associated with a local workstation. *Hao*’s capture and multicasting of private input events does not disclose, teach, or suggest Applicants’ claimed echo events. For at least the reason that *Hao*’s private input events are not echo events,

*Hao* does not anticipate Applicants' claim 15. Consequently, claim 15 is allowable and the rejection should be withdrawn.

Furthermore, because *Hao* fails to disclose, teach, or suggest Applicants' claimed means for generating echo events, *Hao* cannot disclose, teach, or suggest Applicants' claimed "*means for inserting said echo events along with said events to be shared.*" Moreover, *Hao* cannot disclose, teach, or suggest Applicants' claimed "*means for pacing the transmission of said events to be shared, said means for pacing responsive to an echo delay derived from said echo events.*" As shown above, with regard to event processing, *Hao*'s IEP analyzes input events from multiple applications and puts them in proper execution order. *Hao* is entirely silent concerning the step of generating an echo event. Because *Hao* does not generate echo events, *Hao* does not transmit echo events, and *Hao* does not derive an echo delay from said echo events. Consequently, *Hao* cannot anticipate Applicants' claimed means for "*pacing responsive to an echo delay derived from said echo events.*" For at least these reasons *Hao* does not anticipate Applicants' claim 15. Consequently, claim 15 is allowable and the rejection should be withdrawn.

**IV. Response to 35 U.S.C. §103 Rejections - Claims 2-7, 10-14, 16, 17, and 19-21**

**Claims 2, 3, 10, and 16**

**A. Statement of the Rejection**

Claims 2, 3, 10, and 16 presently stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Hao* in view of Stumm (U.S. Patent No. 5,768,528, hereafter *Stumm*.) Applicants respectfully traverse the rejection.

**B. Discussion of the Rejection**

In order for a claim to be properly rejected under 35 U.S.C. §103, the combined teachings of the prior art references must suggest all features of the claimed invention to one of ordinary skill in the art. See, e.g., *In Re Dow Chemical*, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988), and *In re Keller*, 208 U.S.P.Q.2d 871, 881 (C.C.P.A. 1981).

As shown above regarding the patentability of claim 1, *Hao*'s capture and multicasting of private input events does not disclose, teach, or suggest Applicants'

claimed echo events. For at least the reason that *Hao*'s private input events are not Applicants' claimed echo events, *Hao* does not suggest each element of Applicants' claim 1. Furthermore, *Hao* fails to suggest Applicants' claimed local application sharing logic configured to "***pace the transmission of locally generated events in accordance with an echo event receive time and a respective echo event transmit time.***" For at least the reasons that *Hao* fails to disclose, teach, or suggest these elements. Moreover, because *Stumm* fails to remedy these failures, Applicants respectfully submit that the proposed combination of *Hao* and *Stumm* does not establish a *prima facie* case of obviousness with regard to Applicants' dependent claims 2 and 3. Thus, claims 2 and 3 are allowable and the rejection of claims 2 and 3 should be withdrawn.

As shown above regarding the patentability of claim 8, *Hao*'s capture and multicasting of private input events does not disclose, teach, or suggest Applicants' claimed providing a local application sharing logic configured to "***generate echo events.***" Furthermore, *Hao* fails to suggest Applicants' claimed local application sharing logic configured to "***transmit*** said events to be shared and ***said echo events to a remote application.***" For at least the reasons that *Hao* fails to disclose, teach, or suggest these claimed elements and because *Stumm* fails to remedy these failures, Applicants respectfully submit that the proposed combination of *Hao* and *Stumm* does not establish a *prima facie* case of obviousness with regard to Applicants' dependent claim 10. Thus, claim 10 is allowable and the rejection of claim 10 should be withdrawn.

As shown above regarding the patentability of claim 15, *Hao*'s capture and multicasting of private input events does not disclose, teach, or suggest Applicants' claimed pacing system comprising "means for ***generating echo events.***" Furthermore, *Hao* fails to suggest Applicants' claimed "***means for pacing the transmission of said events to be shared, said means for pacing responsive to an echo delay derived from said echo events.***" For at least the reasons that *Hao* fails to disclose, teach, or suggest these claimed elements and because *Stumm* fails to remedy these failures, Applicants respectfully submit that the proposed combination of *Hao* and *Stumm* does not establish a *prima facie* case of obviousness with regard to Applicants' dependent claim 16. Thus, claim 16 is allowable and the rejection of claim 16 should be withdrawn.



**Claims 4-7, 11-14, 17, and 19-21**

**A. Statement of the Rejection**

Claims 4-7, 11-14, 17, and 19-21 presently stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Hao* in view of *Othmer* (U.S. Patent No. 6,167,358, hereafter *Othmer*.) Applicants respectfully traverse the rejection.

**B. Discussion of the Rejection**

As shown above regarding the patentability of claim 1, *Hao*'s capture and multicasting of private input events does not disclose, teach, or suggest Applicants' claimed echo events. For at least the reason that *Hao*'s private input events are not Applicants' echo events, *Hao* does not suggest each element of Applicants' claim 1. Furthermore, *Hao* fails to suggest Applicants' claimed local application sharing logic configured to "***pace the transmission of locally generated events in accordance with an echo event receive time and a respective echo event transmit time.***" For at least the reasons that *Hao* fails to disclose, teach, or suggest these elements and because *Othmer* fails to remedy these failures, Applicants respectfully submit that the proposed combination of *Hao* and *Othmer* does not establish a *prima facie* case of obviousness with regard to Applicants' dependent claims 4-7. Thus, claims 4-7 are allowable and the rejection of claims 4-7 should be withdrawn.

As shown above regarding the patentability of claim 8, *Hao*'s capture and multicasting of private input events does not disclose, teach, or suggest Applicants' claimed providing a local application sharing logic configured to "***generate echo events.***" Furthermore, *Hao* fails to suggest Applicants' claimed local application sharing logic configured to "***transmit*** said events to be shared and ***said echo events to a remote application.***" For at least the reasons that *Hao* fails to disclose, teach, or suggest these elements and because *Othmer* fails to remedy these failures, Applicants respectfully submit that the proposed combination of *Hao* and *Othmer* does not establish a *prima facie* case of obviousness with regard to Applicants' dependent claims 11-14. Thus, claims 11-14 are allowable and the rejection of claims 11-14 should be withdrawn.

As shown above regarding the patentability of claim 15, *Hao*'s capture and multicasting of private input events does not disclose, teach, or suggest Applicants'



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